THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.17588 of 2006

Dated:25.08.2006

Between:

Smt.Kodicherla Rajamma, and others.

…Petitioners

and

The State of A.P and others.

…Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.17588 of 2006

ORDER:

The petitioners filed revision petition under Section 9 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act'), before the first respondent feeling aggrieved by the orders of the Revenue Divisional Officer, Chevella, dated 15.09.2005. The same was rejected by the impugned order on the ground that the land in Survey No.18 admeasuring Acs.4.17 guntas being the Government land, the revision cannot be entertained. *Inter alia,* the impugned order is assailed on the ground that it is in violation of the principles of natural justice. Therefore, this Court directed the learned Assistant Government Pleader for Revenue (General) to produce the record from the Office of the first respondent. Accordingly, the record has been produced.

A perusal of the record would show that when the revision petition was submitted by the petitioner to the Joint Collector, he endorsed in the margin "Notice and put up as per the calendar". However, subsequently, a note was put up by the Office Superintendent bringing to the notice of the Joint Collector that the land in Survey No.18 is poramboke Government land. Therefore, the Joint Collector endorsed that the revision petition may be rejected as the land in question is the Government land. This is not proper

disposal of the revision petition under Section 9 of the Act read with Rule 23 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Rules, 1989. Therefore, the impugned order is set aside and the matter is remitted to the Joint Collector, Ranga Reddy District, to issue notice to the petitioners and dispose of the revision petition on merits after duly considering the evidence that may be produced by the petitioners.

The Writ Petition, with the above observations and directions, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

25.08.2006
vs